

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JENNIFER MARINO,
Plaintiff,

v.

YUMMYEARTH, INC.,
Defendant.

Case No. [22-cv-02740-TSH](#)

ORDER TO SHOW CAUSE

Plaintiff Jennifer Marino filed this putative class action on May 8, 2022, alleging Defendant YummyEarth, Inc. engages in deceptive and misleading practices with respect to its marketing and sale of fruit snacks. Since filing her complaint, Plaintiff has made no further appearances in this matter, and there has been no docket activity other than notices of appearances filed by Defendant's counsel. As such, on August 5 the Court vacated the August 11 case management conference and directed the parties to file a status report by August 18. ECF No. 7. No response has been received.

Accordingly, the Court **ORDERS** Plaintiff Jennifer Marino to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by August 29, 2022. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on September 8, 2022 at 10:00 a.m. by Zoom video conference. The webinar link and instructions are located at <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>.

Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiff does not intend to prosecute, and the case may be dismissed without

prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: August 19, 2022


THOMAS S. HIXSON
United States Magistrate Judge

United States District Court
Northern District of California